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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/755,047	01/08/2004	Chee Wai Chia	70030841-1	8700

7590 10/06/2005

AGILENT TECHNOLOGIES, INC.
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EXAMINER

SOWARD, IDA M

ART UNIT PAPER NUMBER

2822

DATE MAILED: 10/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

H.A

Office Action Summary

Application No.

10/755,047

Applicant(s)

CHIA ET AL.

Examiner

Ida M. Soward

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) 12-19 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 20-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office Action is in response to the election filed September 12, 2005.

Election/Restrictions

Applicant's election without traverse of Group I, claims 1-11 and 20-28 in the reply filed on September 12, 2005 is acknowledged.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 20 recites the limitation "**said light source**" in lines 21-23, page 18. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-11 and 20-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Kiyomoto et al. (US 2005/0212089 A1).

In regard to claim 1, Kiyomoto et al. teach a light emission device 24 comprising: a lead frame 14/17 comprising a first lead frame segment 17 and a second lead frame segment 14; a light source 12 coupled to said first lead frame segment 17; a wire bond 16 coupled to said light source 12 and coupled to said second lead frame segment 14; and an epoxy cast 13 encasing said light source 12, said wire bond 16, and a portion of said lead frame 14-17 (Figure 10, page 9, paragraphs [0176]-[0187]).

In regard to claim 2, Kiyomoto et al. teach the first lead frame segment 17 comprises a first recess such that said light source 12 resides at least partially within said first recess (Figure 10, page 9, paragraphs [0176]-[0187]).

In regard to claims 3 and 21, Kiyomoto et al. teach the first lead frame segment 17 comprises a second recess such that said epoxy cast 13 is anchored to said first lead frame segment 17 (Figure 10, page 9, paragraphs [0176]-[0187]).

In regard to claims 4 and 22, Kiyomoto et al. teach the first recess being a reflector cup (Figure 10, page 9, paragraphs [0176]-[0187]).

In regard to claim 5, Kiyomoto et al. teach the epoxy cast 13 comprising a shaped epoxy portion 18 (Figure 10, page 9, paragraphs [0176]-[0187]).

In regard to claims 6 and 24, Kiyomoto et al. teach the lead frame 14/17 comprising plating (Figure 10, page 9, paragraphs [0176]-[0187]).

In regard to claims 7 and 25, Kiyomoto et al. teach the epoxy cast 13 comprising a color tinting (Figure 10, page 9, paragraphs [0176]-[0187]).

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In regard to claims 8 and 26, Kiyomoto et al. teach the epoxy cast 13 being operable to diffuse light from the light source 12 (Figure 10, page 9, paragraphs [0176]-[0187]).

In regard to claims 9 and 27, Kiyomoto et al. teach a second wire bond coupled to the first lead frame segment 17 and the light source 12 (Figure 10, page 9, paragraphs [0176]-[0187]).

In regard to claims 10 and 28, Kiyomoto et al. teach the shaped epoxy portion 18 being a dome shape (Figure 10, page 9, paragraphs [0176]-[0187]).

In regard to claim 11, Kiyomoto et al. teach the light source 12 being a light emitting diode die (Figure 10, page 9, paragraphs [0176]-[0187]).

In regard to claim 20, Kiyomoto et al. teach a light emission device 24 comprising: a lead frame 14/17 comprising a first lead frame segment 17 and a second lead frame segment 14; a light emitting diode 12 coupled to said first lead frame segment 17, said first lead frame segment 17 comprising a first recess such that said light source 12 resides at least partially within said first recess; a wire bond 16 coupled to said light source 12 and coupled to said second lead frame segment 14; and an epoxy cast 13 encasing said light emitting diode 12, said wire bond 16, and a portion of said lead frame 14/17, said epoxy cast 13 comprising a shaped epoxy portion 18 (Figure 10, page 9, paragraphs [0176]-[0187]).

In regard to claim 23, Kiyomoto et al. teach the shaped epoxy portion 18 being incident to the light source 12 (Figure 10, page 9, paragraphs [0176]-[0187]).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to further show the state of the art with respect to light emission devices:

Baroky et al. (US 2004/0263074 A1)

Komoto et al. (US 6,586,874 B2)

Setlur et al. (US 2004/0000862 A1)

Su et al. (US 2004/0119083 A1).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ida M. Soward whose telephone number is 571-272-1845. The examiner can normally be reached on Monday - Thursday 6:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amir Zarabian can be reached on 571-272-1852. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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IMS
October 2, 2005

John W. Samard

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